

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DEBORAH MCDANIEL,

Plaintiff,

v.

BROOKLYN BEDDING LLC,

Defendant.

CASE NO. 3:24-cv-05100-LK

ORDER TO SHOW CAUSE

This matter comes before the Court sua sponte. Plaintiff Deborah McDaniel asserts that the Court has subject matter jurisdiction pursuant to the Class Action Fairness Act of 2005 (“CAFA”), 28 U.S.C. § 1332(d). Dkt. No. 1 at 6. For the reasons discussed below, the Court ORDERS Ms. McDaniel to show cause why this action should not be dismissed without prejudice for lack of subject matter jurisdiction.


Federal courts “have an independent obligation to determine whether subject-matter jurisdiction exists[.]” *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514 (2006); *see also* Fed. R. Civ. P. 12(h)(3). This determination is an “inflexible” threshold requirement that must be made “without exception, for jurisdiction is power to declare the law and without jurisdiction the court cannot

1 proceed at all in any cause.” *Ruhrigas AG v. Marathon Oil Co.*, 526 U.S. 574, 577 (1999) (cleaned
2 up).

3 The complaint avers that “Defendant Brooklyn Bedding LLC is an Arizona limited liability
4 company with its principal place of business at 5301 W Bethany Home Road, Glendale, Arizona
5 85301.” Dkt. No. 1 at 6. This does not identify Brooklyn Bedding’s citizenship: an LLC “is a
6 citizen of every state of which its owners/members are citizens.” *Johnson v. Columbia Props.*
7 *Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). McDaniel’s complaint does not identify all
8 members of the LLC or their citizenship. Importantly, there must be minimum diversity for the
9 Court to have CAFA jurisdiction. 28 U.S.C. § 1332(d)(2); *see also Moe v. GEICO Indem. Co.*, 73
10 F.4th 757, 763 (9th Cir. 2023) (explaining that CAFA “impose[s] specific requirements that must
11 be satisfied before federal jurisdiction is conferred”).

12 Accordingly, no later than April 26, 2024, Plaintiff is ORDERED to show cause why this
13 case should not be dismissed for lack of subject matter jurisdiction. Failure to do so will result in
14 dismissal.

15 Dated this 19th day of April, 2024.

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Lauren King
18 United States District Judge
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